

**City of St. Charles, Illinois**

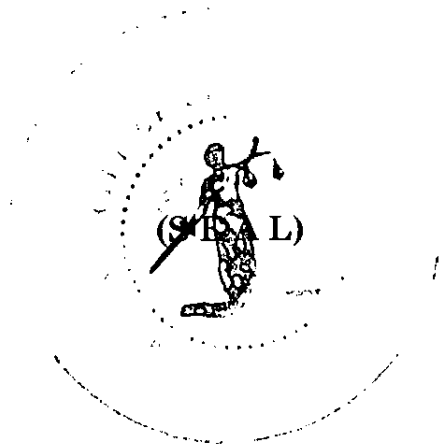
**Ordinance No. 2008-M-42**

**An Ordinance Amending Title 2 "Administration and  
Personnel" of the St. Charles Municipal Code**

**Adopted by the  
City Council  
of the  
City of St. Charles  
July 7, 2008**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, July 11, 2008**

*Nancy Garrison*  
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City Clerk



**ORDINANCE NO. 2008-M- 42**

**AN ORDINANCE AMENDING TITLE 2, "ADMINISTRATION AND PERSONNEL,"  
OF THE ST. CHARLES MUNICIPAL CODE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE  
AND DU PAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

1. That Title 2, "Administration and Personnel," Chapter 2.12, "Officers and Employees," Section 2.12.020, "Appointments," of the St. Charles Municipal Code, be and is hereby amended by deleting the same and substituting the following therefor:

**2.12.020 Appointments.**

All officers other than elective officers shall be recommended for appointment by the City Administrator and appointed annually by the Mayor with the advice and consent of the City Council; provided that all employees shall, in the absence of any provision to the contrary, be approved by the City Administrator.

2. That Title 2, "Administration and Personnel," Chapter 2.12, "Officers and Employees," Section 2.12.030, "Terms of office," of the St. Charles Municipal Code, be and is hereby amended by deleting the same and substituting the following therefor:

**2.12.030 Terms of office – Vacancy filling.**

Every appointive officer of the City shall hold office until the first day of May following his or her appointment, except for the following:

1. If the City Administrator determines that the appointive officer is not satisfactorily fulfilling the duties of the position, the City Administrator, with approval of the Mayor and City Council, may terminate the appointive officer at any time during the year of appointment.
2. If the appointive officer demonstrates behavior that would be cause for immediate dismissal, the City Administrator, with the approval of the Mayor and City Council, may terminate the appointive officer immediately.

If an appointive officer is terminated prior to the end of his or her term, the Mayor, upon the receipt of a recommendation from the City Administrator, and advice and consent of the City Council, may appoint a new officer prior to May 1.

In case of a vacancy in any such place, it shall be filled in the same manner in which appointments or selections are made, in the absence of provision to the contrary.

3. That Title 2, "Administration and Personnel," Chapter 2.12, "Officers and Employees," Section 2.12.300, "Special Layoff/Separation Benefit (SLSB)," of the St. Charles Municipal Code, be and is hereby deleted in its entirety.

4. That Title 2, "Administration and Personnel," Chapter 2.12, "Officers and Employees," Section 2.12.310, "Eligibility for Benefit," of the St. Charles Municipal Code, be and is hereby deleted in its entirety.

5. That Title 2, "Administration and Personnel," Chapter 2.12, "Officers and Employees," Section 2.12.320, "Circumstances of Layoff/Separation," of the St. Charles Municipal Code, be and is hereby deleted in its entirety.

6. That Title 2, "Administration and Personnel," Chapter 2.12, "Officers and Employees," Section 2.12.330, "Payment of SLSB," of the St. Charles Municipal Code, be and is hereby deleted in its entirety.

7. That Title 2, "Administration and Personnel," Chapter 2.12, "Officers and Employees," Section 2.12.340, "Relationship to Other Benefits and Rights," of the St. Charles Municipal Code, be and is hereby deleted in its entirety.

8. That Title 2, "Administration and Personnel," Chapter 2.12, "Officers and Employees," Section 2.12.350, "Enforcing officer," of the St. Charles Municipal Code, be and is hereby deleted in its entirety.

9. That Title 2, "Administration and Personnel," Chapter 2.32, "Police Department," Section 2.32.020, "Appointments and Promotions," of the St. Charles Municipal Code, be and is hereby amended by deleting the same and substituting the following therefor:

**2.32.020 Appointment, Promotion, and Vacancy Filling.**

A. Except as hereinafter set forth, all appointments and promotions to the police department shall be made by the board of fire and police commissioners as provided for by law.

B. The Chief of Police shall be recommended for appointment by the City Administrator and appointed annually by the Mayor with the advice and consent of the City Council until the first day of May following his or her appointment, except for the following:

1. If the City Administrator determines that the Chief of Police is not satisfactorily fulfilling the duties of the position, the City Administrator, with approval of the Mayor and City Council, may terminate the Chief of Police at any time during the year of appointment.
2. If the Chief of Police demonstrates behavior that would be cause for immediate dismissal, the City Administrator, with Mayor and City Council approval, may terminate the Chief of Police immediately.

If a Chief of Police is terminated prior to the end of his or her term, the Mayor, upon the receipt of a recommendation from the City Administrator, and advice and consent of the City Council may appoint a new Police Chief prior to May 1.

C. Any full-time member of the police department appointed as police chief shall not retain any reversionary rights in any former position and shall not be returned to such position if removed or resigned from his appointed position

D. The provisions for removal set forth in this ordinance shall not apply where such individual has been discharged for cause by the Board of Fire and Police Commissioners, in which case he or she shall be disqualified as a member of the police department.

10. That Title 2, "Administration and Personnel," Chapter 2.32, "Police Department,"

Section 2.32.050, "Benefits," of the St. Charles Municipal Code, be and is hereby deleted in its entirety.

11. That Title 2, "Administration and Personnel," Chapter 2.30, "Fire Department," Section 2.30.020, "Fire chief - Office created - Appointment - Term," of the St. Charles Municipal Code, be and is hereby amended by deleting the same and substituting the following therefor:

**2.30.020 Fire Chief – Appointment, Term, and Vacancy Filling.**

The Fire Chief shall be recommended for appointment by the City Administrator and appointed annually by the Mayor with the advice and consent of the City Council until the first day of May following his or her appointment, except for the following:

1. If the City Administrator determines that the Fire Chief is not satisfactorily fulfilling the duties of the position, the City Administrator, with approval of the Mayor and City Council, may terminate the Fire Chief at any time during the year of appointment.
2. If the Fire Chief demonstrates behavior that would be cause for immediate dismissal, the City Administrator, with Mayor and City Council approval, may terminate the Fire Chief immediately.

If a Fire Chief is terminated prior to the end of his or her term, the Mayor, upon the receipt of a recommendation from the City Administrator, and advice and consent of the City Council, may appoint a new Fire Chief prior to May 1.

12. That Title 2, "Administration and Personnel," Chapter 2.30, "Police Department," Section 2.30.030, "Full-time Firefighter – Appointment and Promotion," of the St. Charles Municipal Code, be and is hereby deleted in its entirety.

13. That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles. This ordinance shall be effective as of July 11, 2008.

**PRESENTED** to the City Council of the city of St. Charles, Illinois, this 7<sup>th</sup> day July, 2008.

**PASSED** by the City Council of the city of St. Charles, Illinois, this 7<sup>th</sup> day of July, 2008.

**APPROVED** by the Mayor of the city of St. Charles, Illinois, this 7<sup>th</sup> day of

July, 2008.



*David P. Smith*  
Mayor

*Nancy Garrison*  
City Clerk

**COUNCIL VOTE:**

Ayes: 1

Nays: 0

Absent: 0

State of Illinois )  
 ) ss.  
Counties of Kane and DuPage )

## Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on July 7, 2008, the Corporate Authorities of such municipality passed and approved Ordinance No. 2008-M-42, entitled

"An Ordinance Amending Title 2 "Administration and  
Personnel" of the St. Charles Municipal Code,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2008-M-42, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on July 11, 2008, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 7th day of July 2008.

  
Municipal Clerk

